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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/618,114	07/17/2000	Govind Malalur	P108339-09056	7397

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EXAMINER

PEZZLO, JOHN

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/618,114	Applicant(s) MALALUR, GOVIND	
	Examiner John Pezzlo	Art Unit 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 10-23 is/are allowed.
- 6) ☐ Claim(s) 1-4, 6, 7, 9 and 24-27 is/are rejected.
- 7) ☐ Claim(s) 5, 8, 28-33 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

I. Claims 1-4, 6, 7, 9, and 24-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Egbert (US 6,236,654 B1).

1. Regarding claims 1 and 6 and 24 - Egbert discloses a network switch (callout 12 in Figure 1), which constructs two address lookup tables one in the internal rules engine and the other in the external rules engine, refer to Figures 3 and 4 and column 6 lines 4 to 42.

Egbert discloses snooping a communication channel for lookup table information and upon detection transmitting the lookup table in the remote system, refer to Figure 3 and column 6 lines 33 to 42.

2. Regarding claim 2 – Egbert discloses at least one lookup table insert message, refer to column 2 lines 12 to 22.
3. Regarding claim 3 – Egbert discloses accessing the lookup table via a CPU, refer to Figure 4 and column 13 lines 25 to 40.
4. Regarding claim 4 – Egbert discloses that the system memory is dedicated for CPU operation, refer to Figure 1 and column 4 lines 38 to 56.
5. Regarding claims 7 and 9 and 25 – Egbert discloses accessing the remote system memory via a DMA operation, refer to Figures 1 and 14 and column 4 lines 38 to 56 and column 16 lines 48 to 64.
6. Regarding claim 26 – Egbert discloses the network switch comprises a single silicon substrate, refer to Figure 1 callout 12, IMS, and column 4 lines 37 to 56.
7. Regarding claim 27 – Egbert discloses inserting tags into the received packets and removing the tags prior to transmitting the packets and a processing unit for processing the packets with tags, refer to Figure 13 and column 15 and column 16 lines 1 to 48.

Allowable Subject Matter

Claims 5, 8, and 28-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10-23 are allowable over the prior art of record.

Response to Arguments

Applicant's arguments filed 21 June 2004 have been fully considered but they are not persuasive. Applicant argues on page 4 of the response that Egbert does not disclose snooping a communication channel and providing snooping logic. The examiner respectfully disagrees. Referring to pages 4, 81, and 82 and Figure 38 in the specification, the snoop logic and the ability to snoop a communication channel is reading and writing of memory (either local or external). As pointed out by the examiner in Figures 3 and 4 and column 6 lines 4 to 42, Egbert provides the capability to read and write to either local (IRC) or external memory (ERC). Furthermore, as stated in column 5 lines 2 to 7 and lines 27 to 30 and column 6 lines 66 to column 7 lines 1 and 2 and column 8 lines 37 to 45, Egbert provides an external memory and external rules checker and the ability to read and write which provides the functionality of the snoop logic and snooping of the communication channel as required by the claim.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (703) 306-5420. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (703) 305-4744. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Art Unit: 2662

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Receptionist (Sixth floor)

Crystal Park 2

2121 Crystal Drive

Arlington, VA.

John Pezzlo

19 August 2004



JOHN PEZZLO
PRIMARY EXAMINER